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Attorney for Defendant
GILBERT RAMIREZ

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

GILBERT RAMIREZ,
Defendant.

Case No.: 2:23-cr-016 TLN

STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE

Date: November 9, 2023
Time: 9:30 a.m.
Court: Hon. Troy L. Nunley

Plaintiff United States of America by and through Special Assistant United States
Attorney Matt De Moura, and Attorney Todd Leras on behalf of Defendant Gilbert Ramirez,
stipulate as follows:

1. This matter is presently set for a status conference on February 15, 2024. The parties
request that the status conference be continued to May 23, 2024, at 9:30 a.m. The
parties further request that the time between February 15, 2023, and May 23, 2024, be
excluded for attorney preparation. This request follows a request by Attorney Todd

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- 1 Leras to substitute into the case as counsel, which was filed on November 7, 2023.
- 2 2. This case involves a charged conspiracy to distribute fentanyl and methamphetamine
- 3 as well as distinct charges of actual distribution of fentanyl and methamphetamine.
- 4 Predecessor counsel provided substitute counsel with discovery previously produced
- 5 by the government. The discovery consists of approximately 500 pages of
- 6 investigative reports and materials produced during investigation of the matter.
- 7
- 8 3. Defendant Gilbert Ramirez is being held in pre-trial custody at the Yuba County Jail
- 9 in Marysville, California. The Yuba County Jail is approximately 45 miles from
- 10 defense counsel's downtown Sacramento office. All meetings with Mr. Ramirez to
- 11 review discovery, discuss case developments, and to review and plan defense
- 12 investigation require travel to the Yuba County Jail. In addition, the parties are
- 13 discussing potential resolution of this matter through a negotiated disposition.
- 14
- 15 4. Defense counsel is presently scheduled to begin a jury trial before Chief Judge
- 16 Mueller on February 20, 2024, in the case of *United States v. Yandell, Sylvester, and*
- 17 *Troxell*, Case No. 2:19-cr-0107 KJM, a RICO conspiracy case projected to last
- 18 approximately fourteen weeks. Given the *Yandell* trial schedule as well as its length
- 19 and its potential impact on ongoing defense investigation and client meetings required
- 20 to prepare Mr. Ramirez's case, Defendant Ramirez requests to continue the status
- 21 conference in this matter to May 23, 2024, at 9:30 a.m. Defendant Ramirez also
- 22 requests to exclude time between February 15, 2024 and May 23, 20234, inclusive,
- 23 under Local Code T-4. The United States does not oppose this request.
- 24
- 25 5. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
- 26 *seq.*, within which trial must commence, the time period of February 15, 2024, to
- 27
- 28

May 23, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court at Defendant Ramirez's request on the basis that the ends of justice served by taking such action outweigh the best interest of the public and the Defendant in a speedy trial.

6. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Special Assistant U.S. Attorney Matt De Moura has reviewed this proposed order and authorized Todd Leras via email to sign it on his behalf.

DATED: February 12, 2024

PHILLIP A. TALBERT
United States Attorney

By /s/ Todd D. Leras for
MATTHEW DE MOURA
Special Assistant United States
Attorney

DATED: February 12, 2024

By /s/ Todd D. Leras
TODD D. LERAS
Attorney for Defendant
GILBERT RAMIREZ

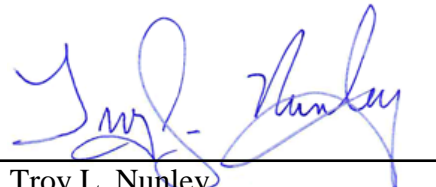
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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference, scheduled for February 15, 2024, is vacated. A new status conference is set for May 23, 2024, at 9:30 a.m., before the Honorable Troy L. Nunley. The Court further finds, based on the representations of the parties and Defendant Ramirez's request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendant in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from February 15, 2024, up to and including May 23, 2024.

IT IS SO ORDERED.

DATED: February 12, 2024


Troy L. Nunley
United States District Judge

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